

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION

DAVID CANIDATE,)	
)	
Plaintiff,)	
)	
vs.)	7:10-CV-1837-SLB-JEO
)	
DOCTOR PHILLIP BOBO,)	
)	
Defendant.)	

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on July 6, 2011, recommending that the defendant's motion for summary judgment be granted and this cause be dismissed with prejudice. The plaintiff filed objections on July 27, 2011, in which he restated the claims he made in his complaint and response to the defendants' special report. The plaintiff does not allege any additional facts. The mere fact that the plaintiff's injury did not resolve itself with the treatment prescribed by Dr. Bobo and surgery was ultimately required, does not support the plaintiff's claim that Dr. Bobo denied him adequate medical treatment.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, and the plaintiff's objections, the Court is of the opinion that the magistrate judge's report is due to be and is hereby **ADOPTED** and his recommendation is **ACCEPTED**. The Court EXPRESSLY FINDS that there are no genuine issues of material fact and that the defendant is entitled to judgment as a matter of law. Accordingly, defendant's motion for summary judgment is due to be GRANTED and this action is due to be DISMISSED WITH PREJUDICE. A Final Judgment will be entered.

DONE, this the 27th day of October, 2011.

Sharon Lovelace Blackburn

SHARON LOVELACE BLACKBURN
CHIEF UNITED STATES DISTRICT JUDGE